

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, DEL RIO DIVISION

United States of America

vs.

(1) Axer Yair Cabrera-Sarmiento

§
§
§
§
§

CRIMINAL COMPLAINT

CASE NUMBER: DR:17-M -06408(1)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **November 13, 2017** in **Maverick** county, in the **WESTERN DISTRICT OF TEXAS** defendant(s) did, (track statutory language of offense) knowingly and willfully enter the United States at a time and place other than as designated by Immigration Officers, he/she being an alien in the United States in violation of Title **8** United States Code, Section(s) **1325(a)(1)**.

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: *"On November 14, 2017, the defendant, Axer Yair CABRERA-Sarmiento, a native and citizen of Honduras, was arrested near Carrizo Springs, Texas. Subsequent investigation revealed that the defendant is an alien illegally present in the United States. The Defendant last entered the United States illegally from the Republic of Mexico by crossing the Rio Grande River at a time and place other than as designated by Immigration Officers, near Eagle Pass, Texas."*

Continued on the attached sheet and made a part of hereof:

☐ Yes ☒ No

Sworn to before me and subscribed in my presence,

11/16/2017
File Date

VICTOR ROBERTO GARCIA
UNITED STATES MAGISTRATE JUDGE


Signature of Complainant

at DEL RIO, Texas
City and State


Signature of Judicial Officer

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS, DEL RIO DIVISION

United States of America

vs.

(1) Axer Yair Cabrera-Sarmiento

§
§
§
§
§

CRIMINAL COMPLAINT

CASE NUMBER: DR:17-M -06408(1)

**JUDGEMENT IN A CRIMINAL CASE
(For A Petty Offense) - Short Form**

The defendant, Axer Yair Cabrera-Sarmiento, was presented by counsel, Corby Windham.

The defendant pled guilty to the complaint on November 17, 2017. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8 USC 1325	ILLEGAL ENTRY	November 13, 2017

As pronounced on November 17, 2017, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of 10 days with credit for time already served. The sentence is imposed to the Sentencing Reform Act of 1984.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because of reasonable efforts to collect this assessment are not likely to be effective.

The fine is waived because of the defendant's inability to pay.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgement are fully paid.

Filed and Signed on this the 17th day of November, 2017.



VICTOR ROBERTO GARCIA
UNITED STATES MAGISTRATE JUDGE

Arresting Agency: DRBP - Del Rio Border Patrol
USM#: 96922380

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

United States of America

§
§
§
§
§

vs.

Case Number:

DR:17-M -06408(1)

(1) Axer Yair Cabrera-Sarmiento

ORDER APPOINTING COUNSEL

The above named Defendant has testified under oath, or has otherwise satisfied this court, that he/she is financially unable to obtain counsel and does not wish to waive representation by counsel.

Therefore, in the interest of justice, Windham, Corby, is hereby appointed to represent the defendant in the above-styled and numbered cause.

This appointment shall remain in effect until further order of this court.

It is so **ORDERED** this 17th day of November, 2017.



**VICTOR ROBERTO GARCIA
UNITED STATES MAGISTRATE JUDGE**